

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DR. GREGORY HALL,)	
)	No: 2019 CV
Plaintiff,)	
)	Judge
v.)	
)	
OFFICERS ROSENBARUN, Star #161,)	
OZAFZELSKE, Star #255; JOHN DOE,)	
JOHN ROE, MARY POE, AND)	
THE CITY OF EVANSTON, ILLINOIS,)	
A MUNICIPAL CORPORATION,)	Jury Demand
Defendants.)	

COMPLAINT

1. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. Sections 1983 and 1988; 28 U.S.C. Sections 1331 and 1323 (3); and the Constitution of the United States, and supplemental jurisdiction under 28 U.S.C. Section 1367.

2. Plaintiff Dr. Gregory Hall is an African-American male, age early 60's, a licensed medical doctor, a citizen of the United States, and a resident of Cook County.

3. Defendant OFFICERS ROSENBARUN STAR #161, OZAFZALSKE STAR #255, DOE, ROE AND POE , (whose names are presently unknown) are police officers employed by the City of EVANSTON, ILLINOIS, and were at all times relevant to the facts alleged in this complaint, acting within the scope of their employment and under color of law. Defendant Officers Rosenbarun,

Ozafzalske, Doe, Roe and Poe are being sued individually.

4. The City of Evanston is a municipal corporation within the State of Illinois, and was all times material to this Complaint, the employer of defendant police officers Rosenbaran, Ozafzalske, Doe, Roe and Poe.

FACTS

5. On January 22, 2018, Dr. Hall was falsely stopped and arrested by Evanston police officers. Evanston police officers pointed guns at Dr. Hall shortly after he left the public library. The police officers told him that he had committed three armed robberies and that he had three hundred dollars in cash.

6. Dr. Hall explained to these officers that he had just walked out of the library across the street and that his story could be verified. Dr. Hall repeatedly asked the officers to send one of the many officers that were on the scene to check on his story. These officers did not believe him and told him that they would check his story, but never did.

7. Dr. Hall was hand cuffed tightly and cried out in pain. These officers would not free him from the handcuffs nor check his story at the library. Both wrists were in pain, especially the left one; both hurt from the grip of the cuffs.

8. Dr. Hall went to St. Francis Hospital in Evanston by ambulance and received x-rays and was given a referral for an MRI.

9. Dr. Hall was diagnosed with De Quervain Tenosynovitis with longitudinal split tear of abductor pollicis longus tendon.

10. Dr. Hall is still in pain, and may require wrist injections or surgery to

repair the damage done by the Evanston police officers.

11. Both of Dr. Hall's wrists were injured and to add insult to injury he was also forced to be on his knees during this interaction. In short, Dr. Hall was physically injured and publicly humiliated.

12. Dr. Hall did not even receive an apology from the Evanston Police Department.

COUNT I

(42 U.S.C. Section 1983-Excessive Force Claim)

(1-12). Plaintiff Dr. Gregory Hall alleges and realleges all preceding paragraphs as fully set forth above.

13. As a result of the unreasonable and unjustifiable attacks on Dr. Gregory Hall, he suffered both physical and emotional injuries.

14. This unreasonable and unjustifiable abuse of the Plaintiff Dr. Gregory Hall by several Defendant Officers, while other Defendant Officers watched, was a direct and proximate cause of his pain, suffering and mental anguish. The acts by the above individual Defendants violated the Plaintiff's Fourth Amendment right to be free from unreasonable seizures, in addition to a violation of 42 U.S.C. 1983.

WHEREFORE, Plaintiff Dr. Gregory Hall demands compensatory damages in excess of \$100,000 against all Defendant Officers, and because the Defendants acted maliciously, willfully and/or wantonly, Plaintiff demands punitive damages in excess of \$100,000 from each individual defendant, plus

cost, attorney's fees, and such other additional relief as this Court deems equitable and just.

COUNT II

(42 U.S.C. Section 1983-False Arrest)

(1-14). Plaintiff Dr. Gregory Hall alleges and realleges all preceding paragraphs as fully set forth herein.

15. The above acts of the Defendant Officers were willfully and wantonly done without probable cause and were a direct and proximate cause of Dr. Hall's pain, suffering and mental anguish, and therefore violated the Plaintiff's Fourth Amendment right to be free from unreasonable arrest, search and seizure.

WHEREFORE, Plaintiff Dr. Gregory Hall seeks actual or compensatory damages in excess of \$100,000 against Defendant Officers individually and because they acted maliciously, willfully and/or wantonly, Plaintiff demands punitive damages in excess of \$100,000 against Defendant Officers individually.

COUNT III

(42 U.S.C. Section 1983-Conspiracy)

(1-15). Plaintiff Dr. Gregory Hall alleges and realleges all preceding paragraphs as fully set forth herein.

16. All Defendant Officers reached an understanding, engaged in a sequence of events or course of conduct, and otherwise agreed and conspired together to violate the constitutional rights of the Plaintiff.

17. Each defendant did reach this understanding and agreement, and did

engage in this course of conduct with the mutual purpose, objective, and knowledge that it would deprive the Plaintiff of his rights, privileges and immunities as guaranteed by the Constitution and laws of the United States.

18. Additionally, said conspiracy/joint action violated Plaintiff's Fourth Amendment rights under the color of law in violation of 42 U.S.C. Section 1983, and was a direct and proximate cause of his pain, suffering and metal anguish.

19. Acting in furtherance of this plan and conspiracy, each of the Defendants committed overt acts, including, but not limited to, an unjustifiable battery and false arrest as fully alleged in the preceding paragraphs. This course of conduct by the Defendants was done willfully, maliciously, intentionally or with reckless disregard and directly and proximately caused serious injury to the Plaintiff.

WHEREFORE Plaintiff demands compensatory damages in excess of \$100,000 against each Defendant, and because the Defendants acted maliciously, willfully and /or wantonly, Plaintiff demands punitive damages in excess of \$100,000 against each Defendant Officer individually.

COUNT IV

(Assault and Battery)

(1-19). Plaintiff Dr. Gregory Hall alleges and realleges all preceding paragraphs as though fully set forth herein.

20. The acts of the Defendant Officers described above, were done maliciously, willfully, wantonly and with such reckless disregard for their natural consequences as to constitute assault and battery under the laws and Constitution

of the State of Illinois, and did directly and proximately cause the injuries, pain and suffering of the Plaintiff as alleged above.

WHEREFORE, Plaintiff Dr. Gregory Hall demands judgment against each Defendant Officer, individually, in an amount in excess of \$100,000 in compensatory damages and because the above Defendants acted maliciously, willfully and/or wantonly, Plaintiff demands \$100,000 in punitive or exemplary damages, plus costs for the battery against him.

COUNT V

(Respondent Superior Under Illinois Law Against the City of Evanston)

(1-20). Plaintiff Dr. Gregory Hall alleges and realleges all preceding paragraphs as though fully set forth herein.

21. The aforesaid acts of Defendant Officers Defendant OFFICERS ROSENBARUN STAR #161, OZAFZALSKE STAR #255, DOE, ROE AND POE in their excessive force, false arrest, conspiracy, and assault and battery were done within the scope of their employment as Evanston police officers. Further, these acts were willful and wanton, and therefore the defendant City of Evanston, as principal, is liable for the actions of its agents under the doctrine of respondent superior.

WHEREFORE, Plaintiff Dr. Gregory Hall demands judgment against defendant City of Evanston in excess of \$500,000, plus costs, and such other additional relief as this Court deems equitable and just.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS.

Respectfully Submitted,

The Law Office of Standish E. Willis

By: /s/Standish E. Willis
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